

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SHIRDENIA BRYANT, et al.	:	Civil Action No. C-1-02-006
Plaintiffs	:	(Judge Spiegel)
vs.	:	
PRESCOTT BIGELOW, IV, et al.	:	<u>DEFENDANTS MOTION IN</u>
Defendants	:	<u>LIMINE RE: ENTITIES</u>

* * * * *

Come now the Defendants, by and through counsel, and move the Court for an Order in Limine relative to any testimony regarding entities other than those alleged to have been involved in any transactions at issue in this case.

Defendants reasonably anticipate that the Plaintiff will seek to introduce testimony regarding McKinley Mortgage Company, Bigelow Properties LLP and the Keene Group, among others. Quite obviously the purpose of such testimony, or the use of any documents containing the names of those separate entities is sought for the purpose of showing "organization" for RICO purposes. However, there will be no testimony at trial that any of these three entities, i.e. McKinley Mortgage Company, Bigelow Properties, LLP or the Keene Group, played any role in the Curtis transaction.

Defendants respectfully submit that the information sought by Plaintiff regarding other unrelated entities is not relevant to any of Plaintiff Curtis' claims against Defendants and is not probative in that it does not make more or less probable any fact in issue relating the Plaintiff's RICO and fraud claims against these Defendants arising from the Curtis property transaction in

August, 1999. Defendants respectfully submit that involvement with other entities not alleged to have been a part of any alleged scheme under alleged RICO claims bears no relevance to any of the RICO and Fraud elements the Plaintiff must prove and therefore should not be admitted at trial.

Respectfully Submitted,

Gary R. Lewis Co., L.P.A.

/s/ Gary R. Lewis
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Defendant Roseanne Christian
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CERTIFICATE OF SERVICE

I hereby certify that on February 9th, 2004, I electronically filed the foregoing Defendants Motion In Limine Re: Entities using the CM/ECF system and I hereby certify that the foregoing was also served upon William H. Blessing, Esq. Attorney for Plaintiffs, 119 East Court Street, Suite 500, Cincinnati, Ohio 45202 by regular U.S. Mail, postage pre-paid this 9th day of February, 2004.

/s/ Gary R. Lewis
Gary R. Lewis
Attorney for Defendant Prescott Bigelow and
Defendant Roseanne Christian